

KANSAS STATE BOARD OF AGRICULTURE

AND

DIVISION OF PLANT HEALTH

QUARANTINE

Serrated Tussock (Nassella trichotoma)

WHEREAS it has been determined that Serrated Tussock (Nassella trichotoma) is a noxious weed under the Federal Noxious Weed Law (7 USCA 2801 et seq.),

WHEREAS Serrated Tussock (Nassella trichotoma) is a plant pest as defined in K.S.A. 1988 Supp. 2-2113.

WHEREAS the recent lack of action by the Federal Government has permitted seed lots which may contain Serrated Tussock (Nassella trichotoma) to be distributed in the United States,

WHEREAS each of the States of Alabama, Illinois, Maryland, Mississippi, Missouri, North Carolina, Oregon, Tennessee and West Virginia have issued quarantines or taken other regulatory action against this plant pest to prevent its introduction in the respective States, and

WHEREAS if Serrated Tussock (Nassella trichotoma) becomes established in Kansas, it will drastically and adversely affect the seed, livestock and turfgrass industries within this State.

NOW THEREFORE the Secretary of the Kansas State Board of Agriculture, pursuant to authority vested in him by K.S.A. 2-2117 hereby determines that quarantine action is necessary to prevent the introduction of this plant pest into the State of Kansas, and to prevent and retard the spread of this plant pest within this state. The Secretary does hereby immediately establish a quarantine to prevent the establishment of Serrated Tussock (Nassella trichotoma) in the State of Kansas. Any movement of Serrated Tussock (Nassella

trichotoma) into or across the State of Kansas from any of the aforementioned States or any other States within the United States into the State of Kansas is hereby prohibited.

Definitions:

All terms used within this quarantine shall have the meanings described to them in K.S.A. 2-2113 et seq. as amended and supplemented.

Regulated Articles:

Articles and products, the movement of which shall be controlled and regulated by this quarantine include but are not limited to:

1. Seed mixtures containing Serrated Tussock (Nassella trichotoma) seed;
2. Soil, separately or with other things, which contains the seed of or any portion of the Serrated Tussock (Nassella trichotoma) plant;
3. Hay containing the seed of or any portion of the Serrated Tussock (Nassella trichotoma) plant;
4. Mechanized cultivating equipment and harvesting machinery which has been used and which may harbor the seed of or portion of the Serrated Tussock (Nassella trichotoma) plant;
5. Mechanized soil moving equipment which has been used and which may harbor the seed of or any portion of the Serrated Tussock (Nassella trichotoma) plant;
6. Any other article, product or thing capable of being a means of conveyance of the seed of or any portion of the Serrated Tussock (Nassella trichotoma) plant when it is determined that such article presents a hazard, either actual or potential, for the spread of Serrated Tussock (Nassella trichotoma), and when the person in possession thereof has been so notified.

Any person who resists or impedes or otherwise hampers the Secretary of the State Board of Agriculture or the Secretary's authorized representative in carrying out the provisions of this quarantine or enforcing this quarantine shall be subject to criminal penalties as provided in the Kansas Plant and Pest Act (K.S.A. 2-2113 et seq. as amended and supplemented). Any duly authorized inspector or agent of the Secretary may enlist the aid of any law enforcement official to enforce and carry out the provisions of this quarantine and the provisions of the Kansas Plant Pest Act in relation thereto.

Conditions and Restriction governing the movement of regulated articles:

Any article or product which has been contaminated with the seed of or any portion of the Serrated Tussock (Nassella trichotoma) plant is hereby prohibited from being moved into the State of Kansas, unless each lot or shipment thereof is accompanied by a certificate issued by the authorized plant protection official of the state of origin wherein such official affirms that the regulated article or product accompanied hereby has originated in and has been or is being shipped from a non infested area within that official's state or district, or that the regulated article or product accompanied thereby has been treated under the supervision of such official prior to movement of the regulated article or product into the State of Kansas, in a manner and by a method which will insure freedom from the seed of or any portion of Serrated Tussock (Nassella trichotoma) plant. In addition, no seed lot or any other article contaminated with the seed of or any portion of the Serrated Tussock (Nassella trichotoma) plant may be moved, sold or disposed of within the State of Kansas without written permission from the Secretary of the State Board of Agriculture or the Secretary's authorized representative.

Effective date of Quarantine:

This Order of Quarantine is effective upon the date signed by the Secretary of the State Board of Agriculture as set forth below and shall remain in effect for a period of ninety (90) days. During this time the Secretary of the State Board of Agriculture shall hold a public hearing to determine whether or not this quarantine should be made permanent and if so under what conditions.

Dated and signed this 27th day of April 1989.

By Sam Brownback
Sam Brownback, Secretary
State Board of Agriculture